

GP/2661

PATENT

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C. Healion

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Applicant : Henry S. Ptasinski, et al.
Application No. : 09/826,218
Filed : April 4, 2001
Title : METHOD FOR PROVIDING DYNAMIC
ADJUSTMENT OF FRAME ENCODING
PARAMETERS IN A FRAME-BASED
COMMUNICATIONS NETWORK

Grp./Div. : 2661
Examiner : Vanderpuye, K.

Docket No. : 42141/RJP/E264

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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Assistant Commissioner for Patents
Washington, D.C. 20231

Post Office Box 7068
Pasadena, CA 91109-7068
October 10, 2001

Commissioner:

The Applicants are in receipt of a Notice of Non-Compliant Amendment mailed on September 17, 2001, wherein it is indicated that the amendment filed on April 4, 2001 is considered non-compliant because the amendment does not include a marked-up version of the replacement paragraph/section per 37 CFR 1.121(b)(1)(iii).

The Applicants submit that the Preliminary Amendment filed on April 4, 2001 (copy enclosed) should be considered compliant. 37 CFR 1.121(b)(iii) states in part:

"... A marked up version does not have to be supplied for an added paragraph or a deleted

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paragraph as it is sufficient to state that a particular paragraph has been added, or deleted."

As can be seen in the April 4, 2001 Preliminary Amendment, the amendments requested merely delete paragraphs from the specification and replace them with new paragraphs. Accordingly, the Applicants submit that a marked-up version does not have to be supplied.

Therefore, the Applicants request that the Notice of Non-Compliant Amendment be withdrawn and the undersigned promptly notified of its withdrawal. If the Applicants' understanding of the above-cited CFR section is in error, please promptly notify the undersigned accordingly.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP


By Richard J. Paciulan
Reg. No. 28,248
626/795-9900

RJP/cah

Enclosure: Preliminary Amendment filed on April 4, 2001

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